

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

UNITED STATES OF AMERICA	§	
	§	
v.	§	NO. 6:17-CR-39
	§	
EDUARDO PINEDA (01)	§	

PRELIMINARY ORDER OF FORFEITURE

On November 22, 2017, the defendant, **Eduardo Pineda**, entered a plea of guilty to Counts One, Two and Three of an information.

Pursuant to 18 U.S.C. § 924(d), 21 U.S.C. § 853 and 28 U.S.C. § 2461(c), the defendant agreed to voluntarily and immediately forfeit all of the defendant's right, title, and interest to the below listed property to the United States:

FIREARMS:

Any and all firearms, ammunition and accessories, including, but not limited to, the following:

1. Ruger, model 10/22, .22 caliber rifle, s/n 0004-38457;
2. Ruger, model 10/22, .22 caliber rifle, s/n 0005-21660;
3. Ruger, model 10/22, .22 caliber rifle, s/n 0004-38487;
4. Ruger, model 10/22, .22 caliber rifle, s/n 0005-21593; and
5. Ruger, model 10/22, .22 caliber rifle, s/n 0005-21621.

CASH PROCEEDS:

A sum of money equal to \$43,200.00 in United States currency and all interest and proceeds traceable thereto, representing the amount of proceeds obtained by the defendant as a result of the offenses alleged in Counts One and Two of the information, which charge violations of 21 U.S.C. § 841(a)(1), manufacture and possession with intent to manufacture and distribute 50 or more marihuana plants,

and 21 U.S.C. § 856(a)(1), maintaining a drug-involved premise, for which the defendant is personally liable.

By virtue of said plea and admission, the United States is now entitled to possession of the above-described property pursuant to 18 U.S.C. § 924(d), 21 U.S.C. § 853, 28 U.S.C. § 2461(c) and Rule 32(b)(2) of the Federal Rules of Criminal Procedure.

Accordingly, it is hereby ORDERED, ADJUDGED and DECREED:

1. The United States is hereby authorized to seize the above-described property and it is hereby forfeited to the United States for disposition in accordance with the law, subject to the provisions of 21 U.S.C. § 853(n).

2. That the above-described forfeited property is to be held by the United States and its agents and vendors, in their custody and control.

3. That pursuant to 21 U.S.C. § 853(n)(1), Supplemental Rule G(4)(a)(vi)(C), and the Attorney General's authority to determine the manner of publication of an order of forfeiture in a criminal case, the United States shall publish for at least 30 consecutive days at www.forfeiture.gov, notice of this Preliminary Order of Forfeiture, notice of the United States' intent to dispose of the property in such manner as the Attorney General may direct and notice that any person, other than the defendant, having or claiming a legal interest in the above-described forfeited property must file a petition with the Court within 30 days of the final date of publication of notice, or of receipt of actual notice, whichever is earlier.

4. This notice shall state that the petition shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the property, shall be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner's right, title or interest in the forfeited property and any additional facts supporting the petitioner's claim and the relief sought.

5. The United States may also, to the extent practicable, provide direct written notice to any person known to have alleged an interest in the property that is the subject of the Preliminary Order of Forfeiture, as a substitute for published notice as to those persons so notified.

6. The Court shall retain jurisdiction to enforce this Order, and to amend it as necessary, pursuant to Fed. R. Crim. P. 32.2(e).

So Ordered and Signed

Nov 29, 2017

A handwritten signature in black ink, appearing to read "Ron Clark", is written above a horizontal line.

Ron Clark, United States District Judge